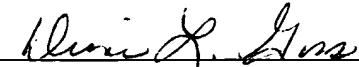




PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 12, 2004.

  
Diane L. Goss

Applicant : Kiyoshi Miyayaki  
Application No. : 10/815,180  
Filed : March 31, 2004  
Title : SENEPIO PLANT NAMED 'SUNSENEBARE'  
  
Grp./Div. : 1661  
Examiner : To be determined  
Docket No. : 52284/DBP/A400

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
37 CFR § 1.97(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
August 12, 2004

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By   
D. Bruce Prout  
Reg. No. 20,958  
626/795-9900

DBP/dg

Enclosures: PTO/SB/08A/B, w/references  
DLG PAS579064.1-\* 08/11/04 10:55 AM

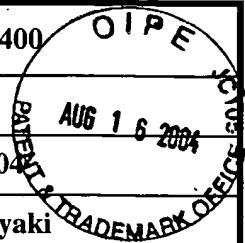
FORM PTO/SB/08A/B (10-01)  
Substitute for PTO-1449A/B

**INFORMATION DISCLOSURE**

**STATEMENT BY APPLICANT**

(use as many sheets as necessary)

|                        |                  |
|------------------------|------------------|
| Attorney Docket Number | 52284/DBP/A400   |
| Application Number     | 10/815,180       |
| Filing Date            | March 31, 2004   |
| Applicant(s)           | Kiyoshi Miyayaki |
| Group Art Unit         | 1661             |
| Examiner Name          | To be determined |



**U.S. PATENT DOCUMENTS**

| EXAMINER INITIALS | Cite No. <sup>1</sup> | DOCUMENT NUMBER<br>Number - Kind Code <sup>2</sup> (If Known) | PUBLICATION DATE<br>MM-DD-YYYY | NAME OF PATENTEE |
|-------------------|-----------------------|---|--------------------------------|------------------|
|                   |                       |   |                                |                  |
|                   |                       |   |                                |                  |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER INITIALS | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup><br>(If Known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | T <sup>6</sup><br>( <input checked="" type="checkbox"/> )                        |
|-------------------|-----------------------|---|--------------------------------|--|--|
|                   |                       | Japan PBR 10502   | 09-04-2002                     | Miyazaki, K.                                       | English translation;<br>Corresponds to U.S. Plant Patent 12,162 previously filed |
|                   |                       |   |                                |  |  |

**OTHER DOCUMENTS**

|                   |                       |  |
|-------------------|-----------------------|--|
| EXAMINER INITIALS | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|                   |                       | Flower & Green autumn and winter Catalog 2004, Suntory Flowers, Ltd., (3 pp), Published 2003, with brief English explanation and partial translation of page 3   |
|                   |                       | Suntory Collection 2004, Moerheim New Plant bv, (3 pp), Published 2003 with English translation of page 75.  |
|                   |                       | The Catalog for Gardening Farm, '94 autumn - '95 spring, Sakata seed Co., (3 pp), Published 1994 with brief English translation of page 43.  |
|                   |                       | The Plant Finder, 1994/95 Edition, Royal Horticultural Society, (4 pp), Published 1994.  |
|                   |                       | Explanation of Publication of Japanese PBR Registration and family documents therein.  |

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|                    |  |                    |  |
|--------------------|--|--------------------|--|
| EXAMINER SIGNATURE |  | DATE<br>CONSIDERED |  |
|--------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.pto.gov](http://www.pto.gov) or MPEP 901.4. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English Language Translation is attached.

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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